



PATENT APPLICATION
DOCKET NO: 068/US/PCT/US
00537-165002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shalaby W. Shalaby

Application No.: 09/600,648

Group Art Unit: 1651

Filed: October 17, 2000

Examiner: Naff, David M.

Title: ABSORBABLE MICROPARTICLES

CERTIFICATE OF MAILING

I hereby certify under 37 CFR §1.6(a) that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 23806 7055 US with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450

Date of Deposit: 9-3-2004
Dawn Janelle DAWN JANELLE

3rd SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ under 37 CFR 1.97(c) together with either:

09/09/2004 AADDF01 00000011 500590 09600648

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☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a Petition under 37 CFR 1.97(d)(2), and

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)

☒ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

Statement Under 37 CFR 1.97(e)

- ☐ The abstracts listed in this Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449, with copies of the references noted thereon; with a Certificate of Mailing.
- ☐ Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☒ The "concise explanation" requirement for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed English language abstracts and corresponding English versions.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Method of payment:

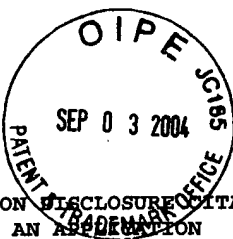
- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ Applicant(s) hereby authorize the Assistant Commissioner to charge the fee noted above and any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Assistant Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,
BIOMEASURE, INCORPORATED

Dated: Sept 3 2004

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**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

ATTORNEY DOCKET NO.
068/US/PCT/US

APPLICATION NO.
09/600,648

APPLICANT
Shalaby W. Shalaby

FILING DATE
October 17, 2000

GROUP
1651

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A1	US 5744163	4/28/98	Kim et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	F1	WO 94/15587	7/21/94	PCT			
X	F2	EP 0737472	10/16/96	EUROPE			
V	F3	WO 95/22318	8/24/95	PCT			
X	F4	JP 194348/97	7/29/97	JAPAN			
X	F5	JP 253426/96	10/1/96	JAPAN			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED